



**State of Connecticut
DIVISION OF CRIMINAL JUSTICE**

TESTIMONY

JOINT COMMITTEE ON BANKS

S.B. No. 957 (RAISED):

An Act Concerning Neighborhood Protection:

March 1, 2011

Thank you Senator Duff, Senator Frantz, Representative Tong, Representative Alberts and members of the Banks Committee. I am Judith R. Dicine, Supervisory Assistant State's Attorney for Housing Matters, from the Office of the Chief State's Attorney. I appear today on behalf of Chief State's Attorney Kevin T. Kane and the Division of Criminal Justice to respectfully recommend the Committee's Joint Favorable Substitute Report for S.B. No. 957, An Act Concerning Neighborhood Protection. The Division would recommend two changes to the bill as raised by the Committee: (1) the addition of commercial properties, both vacant and occupied to the applicability of the bill; and (2) the addition of a civil or administrative penalty for violation of the registration requirement included in the bill.

As background on why I am here today for the Division of Criminal Justice, Housing Prosecutors form a special unit of the Chief State's Attorney's Office, and are statutorily mandated by CGS Sec. 51-278(b)(1)(B) to handle all prosecutions of housing matters deemed to be criminal. This includes landlord-tenant criminal disputes as well as prosecution of criminal violations of the various state and municipal building codes affecting both residential and commercial property. As such, Housing Prosecutors have daily contact from police, building, fire and other safety code officials in regard to unsafe building conditions found in their jurisdictions. As a Housing Prosecutor of more than twenty years, I have heard complaints from these officials and have personally and repeatedly seen the broad negative effect of property foreclosures. During the last several years, the number of these cases has increased drastically. That means more buildings than ever in Connecticut subject to months to years of neglect before a new owner takes title. During that time, the owner of record, who despite being legally responsible for the building, generally walks away from that responsibility and becomes an "absentee" landlord.

Raised Senate Bill 957 very importantly extends the application of the current registration provisions to the extent they are certainly needed: to occupied along with vacant residential structures in pending along with completed foreclosures. Municipalities need to be aware of foreclosure properties as a soon as possible so they can attempt to monitor and avoid the predictable deterioration of the buildings, or emergencies, by either working with the owner cooperatively or by enforcement as necessary to achieve compliance with applicable health and safety standards. This should be the case whether the building is occupied or vacant, commercial or residential. The greatest risk to persons is of course with the occupied residential structures, where substantial neglect of the building may pose a serious and immediate life safety risk to the occupants and to others. Applying the registration requirement to vacant properties, both residential and commercial, can also protect life safety. For example, the proper boarding by the owner of a vacant structure found open to trespass will suffice to satisfy a building official's order to correct this "Unsafe Structure". Compliance with this Connecticut State Building Code requirement applicable in each municipality of the state will also work to prevent entry into the same building by unwarranted persons; a powerful tool for arson, drug and crime prevention and an immediate protection for the benefit of the neighboring community.

Raised Senate Bill 957 will be most effective if it gains a penalty for violation of the registration provision. The addition of a civil or administrative penalty would, in our experience, encourage compliance with these provisions at law.

Thank you for allowing me to speak to you and I would be happy to answer any questions any of the members may have.